

REMARKS

Claims 1-3, 6-15, and 17-20 are pending in the application. Claim 1 has been amended hereby. Claims 4, 5, and 16 have been canceled, without prejudice or disclaimer. Claims 1, 3, 6, 8-11, 13, and 20 are in independent form. Favorable reconsideration is requested.

Reconsideration is respectfully requested of the rejection of Claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite.

Claim 1 has been amended to give proper antecedent basis to the term “display device.”

Accordingly, it is respectfully submitted that amended independent Claim 1 is clear and definite in its recitation of the present invention, and meets all requirements of 35 U.S.C. §112.

Claims 4, 5, and 16 have been cancelled, thereby rendering the objection thereof moot.

Reconsideration is respectfully requested of the rejection of Claims 1-20 under 35 U.S.C. §103(a), as being obvious over U.S. Patent No. 6,325,717 (“*Kawagoe*”) in view of “Sonic Adventure Operation Guide,” January 7, 1999, ASCII Corporation (“*Sonic Adventure*”) as evidenced by Japanese Office Action (Questioning) mailed May 30, 2006 (“*JPO Office Action*”).

A salient feature of the present invention is that the viewing perspective is maintained or altered based on the instructions input by the user, as recited in independent Claims 1, 3, 6, 8-11, 13, and 20.

The Office Action in paragraph 6 concedes that *Kawagoe* fails to show or suggest the aforementioned feature of the present invention and cites *Sonic Adventure* as curing this deficiency.

It is respectfully submitted that *Sonic Adventure* fails to show or suggest that the viewing perspective is maintained or altered based on the instructions input by the user. *Sonic Adventure*,

at best, teaches that to move forward on the screen the UP button must be pressed. See page 37 of *Sonic Adventure*, for example.

Regarding the statements made in the Office Action in paragraph 7, it is respectfully submitted that the use of a conclusion in *JPO Office Action*, as extrinsic evidence of a reference teaching a claimed element, is improper under U.S. practice, in particular when the reference itself is of record as is the case here. Nothing in M.P.E.P. Sec. 2131.01, cited in the Office Action as supporting this use, suggests otherwise.

Accordingly, it is respectfully submitted that independent Claims 1, 3, 6, 8-11, 13, and 20, and the claims depending therefrom, are patentably distinct over *Kawagoe* in view of *Sonic Adventure*, as evidenced by *JPO Office Action*.

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

/Pedro C. Fernandez/

Pedro C. Fernandez

Reg. No. 41741

CUSTOMER NUMBER 026304

Telephone: (212) 940-6311

Fax: (212) 940-8986

Attorney Docket No.: SCED 18.553 (100809-16264)

NYC01_84329210_1